UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/925
24 November 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 24 NOVEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to refer to the summary which the Executive Chairman of the Special Commission and a Commission group of experts, 44 per cent of whom were Americans, presented at the Security Council consultations on 19 November 1997. Following the consultations a similar summary was provided to the press. The group of experts, led by the Americans, again presented the summary at the morning meeting held by the members of the Commission on 21 November 1997. Since the summary contains incorrect information on the progress made in closing the files on biological and chemical weapons and missiles, we wish to submit the following comments for the attention of the members of the Security Council:

I. Missiles

1. The Special Commission states that Iraq admits to having succeeded in locally manufacturing and testing missiles on the basis of the technology used for the manufacture of SCUD missiles and of vital imported components.

This assertion is inaccurate for the following reasons:

Prior to the beginning of the aggression carried out by the 30 countries of the coalition, Iraq had never succeeded in manufacturing missiles, which have the following major components:

(a) Casing: Casings have been manufactured and tested with the assistance of technicians known to the Special Commission;

(b) Control and guidance system: Such systems have not been manufactured by Iraq, which does not have the necessary industrial capability. Gyroscopes were imported from the United Kingdom. The Special Commission has been notified of all imported equipment. This equipment, which was not tested, has been destroyed, as the Commission has been able to verify in detail. The Commission has dozens of documents detailing its destruction.

(c) Engine: Iraq has succeeded in manufacturing around 25 per cent of the components for several engines for the purposes of research, development and

testing. It imported the remainder under a number of contracts which have all been provided to the Special Commission and which are described in detail in the full, final and complete disclosure. So as to facilitate the task of the Special Commission, Iraq has itself provided the names of the directors of the exporting companies. Iraq has thus not been able to manufacture all the components of an engine, although it has conducted research and development activities aimed at developing and testing prototypes. These activities have not led to serial production.

Iraq has imported turbopumps, since it was not able to manufacture them locally. The Special Commission has verified the quantities imported, the use of the equipment, and the unused equipment.

Attempts have been made to obtain a capability (machines and equipment) to manufacture warheads. These attempts have not resulted in serial production, as indicated by dozens of documents and engineering and management notes provided to the Special Commission. Moreover, the machines and equipment in question have been destroyed, as the Special Commission has been able to verify in detail.

Iraq was not able to manufacture or import certain engine components (stabilizer and regulator) before the aggression began. The components used in test flights (four flights, with three failures) were of Russian manufacture, which the Special Commission has been able to verify in detail.

In view of the foregoing, how could Iraq have manufactured missiles? Research and development activities have been conducted towards that end and static and flight tests have been carried out, but of certain parts of missiles only. All these facts, supported by documents provided to the Special Commission, confirm that Iraq has not succeeded in manufacturing missiles locally.

2. The Special Commission claims that it has evidence which, in a number of cases, shows that the essential components had been removed from the proscribed missiles before they were destroyed and later used in other missiles. The Special Commission is convinced that 817 missile casings have been destroyed but it is not certain that their essential components have also been destroyed.

In this regard, we should like to make the following comments:

"Essential components" of the engine means the turbopump, the stabilizer and the regulator. After examining the fragments of the engines in Baghdad and abroad, the laboratories were unable to prove that engine parts had been removed before the missiles were destroyed. Moreover, the locally manufactured parts are not operational, as the documents (personal notes of engineers and senior personnel) transmitted to the Special Commission attest. Experiments and tests on the engine parts were conducted until 7 January 1991. As the Special Commission is aware, Iraq did not get as far as the production stage. The Commission possesses documents, including videotapes, containing details of the experiments and listing the number of such experiments and the dates on which they were carried out.

The Special Commission contradicts itself. On the one hand, it says that it has evidence and, on the other, it claims that the essential components had been removed from the missiles. Iraq has stated on several occasions that it did not recover any component, essential or otherwise, of the missiles before they were destroyed; this was scientifically proven through an analysis of the destruction procedure. This is one of the most important points that was raised during the high-level meetings between Iraq and the Special Commission that were held in February 1997. The Commission stated that the best way of verifying Iraq's statements was to have the engine fragments examined by a foreign laboratory. These examinations were carried out by American, French and Russian laboratories, which confirmed the information that Iraq had provided to the representatives of those laboratories through the Special Commission's team 205. What evidence, then, does the Commission have to dispute this? We request that the Special Commission furnish one piece of evidence that can refute Iraq's claims.

3. The Special Commission claims that Iraq did not submit the material balance of the essential components of the missiles, such as the imported warheads and propellant.

Our response is as follows:

The most important component of a missile is the engine, and this is what the Special Commission stated from 1991-1992 to 1995. For this reason, the Special Commission was not interested in warheads, and it did not seek to obtain details about them when it verified the unilateral destruction in 1992, except in the case of special warheads, when the Special Commission's team 35 carried out verification operations in 1992 concerning the elimination of 45 special warheads.

Iraq presented the balance of imported and locally manufactured warheads, supported by the original documents (statements of use), in its final and complete disclosure submitted in June 1996.

After the Special Commission had again raised the question of warheads in 1996 and 1997, Iraq submitted a number of detailed clarifications on 17 August and 13 October 1997, which answered all the questions posed by the Special Commission, ranging from the number and types of warheads to the stages of research and development, the production phase, the phase of filling with special agents and deployment, and the method of destruction. These clarifications were supported by dozens of original documents which predate the aggression against Iraq in 1991 and which support and corroborate the material balance.

The material balance included, in addition to locally manufactured warheads, imported warheads and their composition, specifying how many of them were of the conventional type, how many were Al Hijara missiles and how many were filled with special agents (biological and chemical weapons). Irrespective of the clarifications and information supplied to the Special Commission, and in order to ensure that the material balance was complete with respect to warheads and that it had been verified, Iraq proposed that excavations should be carried out in the areas where the Committee knew that warheads had been destroyed and

buried, in order to remove the remains of the warheads; the excavations carried out jointly with the Special Commission have thus far brought to light 195 warhead nose cones, which represent 195 conventional and special warheads belonging to a group of 258 imported and locally manufactured conventional and special warheads. This is what was in Iraq at the time the aggression ended, although the destruction was carried out by exploding and scattering the parts and the inhabitants of the region collected the parts in order to use the metal.

With regard to the question of propellant, while an agreement was reached with the Special Commission on this matter during the high-level talks held in July 1997 (the question having been regarded as secondary), it could be addressed subsequently during the control operation, even after the application of paragraph 22 of Security Council resolution 687 (1995); however, the Special Commission insists on raising this question. The facts of the matter are as follows:

(a) Iraq submitted a complete material balance with the spent oxide fuel used for the missiles, supported by the statements of expenditures (transmitted to the Special Commission). In addition, the Special Commission ordered the destruction of the oxidized fuel under the supervision of its third mission;

(b) The quantities of oxide fuel which were in reservoirs in the region of Dujail and Ubaiji after the aggression, and which Iraq had not taken the trouble to destroy, are a secondary question, since emphasis had been given to the destruction of missiles, launchers, warheads and related support equipment. In August and September 1991, inspection teams inspected these reservoirs and requested that they should be destroyed with flame-throwers and doused with water. During the operation, which lasted from a week to 10 days, the oxide fuel was destroyed, as was verified later, in September 1991, by the Special Commission's inspection team 18, which observed that the area was filled with the remains of oxide fuel mixed with water (in much of the area, the ground consists of clay, which prevented the inspection team from entering the site as it had requested to do, and it regarded the matter as closed and verified); subsequently, in September 1997, the Special Commission's team 205 went to the area and observed the same traces of destruction;

(c) The point which the Special Commission is raising is that it did not verify the quantities at the time, and that it naturally cannot do so now, for what is involved is a liquid material that has penetrated the ground. In this instance, the reason is that the material in question is dangerous, and the inspection teams are afraid to go near it. The inspection teams were only able to verify the number of reservoirs and not the detailed quantities, but the verification was qualitative because of the aforesaid danger;

(d) This question is not worthy of mention, since the authorized activities currently involving missiles (having a range of under 150 km) use a similar propellant which we absolutely must manufacture during the next phase; this is not prohibited, and it can be monitored in the framework of the monitoring plan when the time comes to manufacture it.

4. The Special Commission asserts that it has reached the point where it is not sure whether Iraq has the capability for local production of proscribed missiles and that it therefore needs to carry out further inspections.

This conclusion is odd, and we do not know to what end purpose it conceals, given that the Special Commission has been in operation since 1991 and has not discovered anything not already declared in Iraq. The Special Commission is aware of the local production capability as Iraq has presented all the imported missile-related materials and plant, the main sites are open to inspection and the essential plant is under camera and sensor surveillance, is posted and is on record. The Special Commission has been working since August 1994 without discovering a single proscribed activity. What more does the Special Commission want to be sure that there is no production capability? State and privately owned manufacturing plants throughout Iraq have been inspected by the Special Commission's teams, which evaluated them and concluded that they contained nothing which required monitoring. How could the Special Commission carry out more thorough inspections? This reopening of the question is designed to confuse the issue and to cast doubt on the monitoring of the attainment of objectives in order to link it to the Special Commission's mandate. Perhaps the Special Commission hopes in this way to be able to continue with the destruction of greater quantities of materials used in non-proscribed sectors of industry.

5. Regarding the local development of SCUD missiles before the Gulf War, the Special Commission states that there is no documentary or physical evidence to shed light on the actual status of efforts made in this area and that it cannot ascertain the material balance of proscribed imported materials. For example, Iraq declared that it independently destroyed nine truckloads (i.e. more than 100 tons) of materials in July 1991, whereas only 12 tons were discovered after excavations conducted under the supervision of the Special Commission. Iraq has explained that, in April and May 1992, it dug up 8.5 tons of materials and sent them to a smelting works, but the Special Commission cannot verify this.

Our response to this assertion is as follows:

Regarding the documentary evidence relating to engines, the inventories of materials' depots were submitted to the Special Commission about one month before the aggression against Iraq, together with the personal notes of supervisory and technical staff, from among 12 folders of such notes, which shed light on the results of limited experiments, the setbacks and errors, the level of production, the high rejection percentage and the quality of the prototypes produced up to 16 January 1997.

Regarding locally produced and imported components, as well as secondary and principal devices destroyed for scientific purposes, the Special Commission was informed that all secondary devices and numerous other components had been dug up in April and May 1992, taken to the Nasr smelter and melted down. Blocks of melted-down metal were found in the Nasr scrapyard, which was visited by Special Commission inspection teams 34 and 36. The rest was left out in the open and some of it may have been taken away by the local population, given that it is a high-value metal (ST.ST). In 1997, the remainder of what had been buried was dug up under the supervision of the Special Commission. In 1992, when verifying that it had been destroyed, the Special Commission did not ask

for these materials to be kept or transported elsewhere for further inspection, as is now the case for the missiles and launchers.

II. Chemical weapons

6. The Special Commission claimed that the Iraqi declaration did not include all the information on the chemical-weapons programme, and, in addition to its declaration of 1996, Iraq also submitted seven sets of attachments as additional clarifications, which it stated should be considered integral parts of that declaration. Significant progress has been made in this area, but the following basic issues remain to be solved:

(a) The accounting for special chemical and biological warheads;

(b) The extent of Iraq's efforts to produce and weaponize the chemical warfare agent VX;

(c) The material balance of chemical munitions declared by Iraq as having been destroyed during the Gulf War;

(d) The material balance of production equipment procured by Iraq for chemical-weapons purposes.

As an explanation of the facts concerning these allegations, we state the following:

With regard to the chemical declaration:

After Iraq had submitted its chemical declaration containing its full, final and complete disclosure (FFCD) in June 1996 - which is essentially the same as the previous declaration, submitted in May 1995 - the Special Commission, after studying it, stated that there were seven issues which had not been clarified in detail, and these were the subject of questions posed to the Iraqi side concerning the format, and that the forms included questions repeated from all angles. The Iraqi side sent its reply to the Special Commission in January 1997, in addition to the other detailed clarifications requested by the Special Commission, which are basically to be found in the full declaration, the object being to cause delay. Yet, the clarifications requested were sent in numerous letters to the Special Commission.

Moreover, the Iraqi side submitted the clarifications that had been repeatedly requested, and the Special Commission acknowledged having achieved significant progress with these clarifications. Nevertheless, it raised issues contained in the Iraqi clarifications, which were very detailed, and even raised other issues not previously mentioned. As to the issues considered by the Special Commission as not having been resolved, the Iraqi side states the following:

With regard to the number of special warheads, the Iraqi side provided numerous clarifications on the subject, backed by documentation, and the Special Commission since 1992 has verified the number of warheads destroyed unilaterally by Iraq. The Special Commission now requests further verification, on the

grounds that Iraq has developed biological warheads included among the chemical warheads. The Iraqi side proved to the Special Commission in numerous documents that the total number of special warheads was 75, but this proof has been ignored by the Special Commission without any pretext. This issue was considered in discussions and encounters with teams of the Special Commission, the latest being team 211, which requested the submission of further clarifications, and the Iraqi side is engaged in preparing a full reply. Yet, the Special Commission requests more documents. The Iraqi side continues to cooperate with it in order to remove doubts of a scientific nature, as we did in the case of the missiles, concerning which the Commission wondered about the existence of an operational missile force, and the Iraqi side proved that that allegation was groundless.

As for the VX programme, full and complete clarifications were submitted on the basis of documentation made available by the Iraqi side. This issue was discussed in numerous, lengthy meetings with experts of the Special Commission, and in seminars organized on this issue with a view to refuting the allegation that Iraq had produced and stockpiled VX agents; this allegation is not supported by any documents and is baseless. During the discussions with team 202, which visited Iraq in September 1997, the Iraqi side presented detailed clarifications which had already been submitted, and the Special Commission was provided with the clarifications it had requested previously. Nevertheless, the team of the Special Commission posed questions to the Iraqi side, although the reply to them had been submitted previously. The Iraqi side is now engaged nevertheless in preparing a reply to the points mentioned by the Special Commission as being still unclear or pending.

The production capabilities were completely destroyed, and Iraq cannot again begin production without a supply of the means of producing chemical agents. Iraq agreed to the request made by the Executive Chairman to destroy all equipment and binary components, including equipment with a production capacity of only 50 litres. Iraq also affirms that the allegation by the inspectors of the Special Commission to the effect that Iraq is retaining the VX agent is unsupported by any evidence; Iraq proved that it is unable to produce VX in a sufficient quantity to be stockpiled and weaponized. If the Special Commission can find any evidence to refute this, let it do so!

As to the material balance of chemical equipment, the Iraqi side submitted to the Special Commission all the relevant information, covering imported and domestically produced equipment and quantities stockpiled, as well as those consumed and those destroyed during the hostile bombardment or under the supervision of the Special Commission. This has been clarified already since 1995, and verified by the Special Commission on many occasions, the latest being the investigation carried out by team 198 at sites reported as having had stocks of chemical weapons (155-mm munitions filled with mustard gas and 122-mm munitions filled with sarin) before the war. The head of the team stated that it had verified that the 122-mm and 155-mm shells, except for 500 155-mm shells, filled with mustard gas, had been destroyed during the hostile bombardment, as stated in the material balance and in the full declaration, and as witnessed previously by the chemical destruction team in 1993 at the Muhammadiyat depots.

As regards the material balance of chemical-production equipment imported by Iraq during the period of the chemical-weapons programme, the Special Commission was provided with all the information requested concerning equipment acquired by Iraq for the previous chemical-weapons programme, confirmed by the numbers of the corresponding letters of credit. The information was submitted concerning equipment for which a declaration had been requested and whose production capacity was not less than a total of 500 litres, in accordance with the special forms provided by the Special Commission. In mid-1995, the Special Commission requested, pursuant to the revised annex to the verification plan referred to in Security Council resolution 715 (1991), the inclusion of information on equipment with a production capacity of 50 litres and above. The Iraqi side provided the Special Commission with information on this equipment. Yet the Commission insists that the file remain open with regard to this equipment with the aim of destroying the greatest possible volume of existing equipment under the pretext that it could be used or imported for the purpose of the previous weapons programme.

6. The Special Commission declares that, in the absence of supporting facts, it had to take effective steps to obtain additional information and documents for the purpose of verification. In order to verify the numbers of chemical shells, the Commission carried out inspections at a number of military sites, and claims to have noticed that there were serious efforts to conceal information discovered by a team of the Special Commission.

In reply to this allegation, we point out that one inspection team (team 203) visited a number of chemical units of the Army and of the Revolutionary Guards, the object being to verify the nature of the current work of these units. No difficulty was experienced by the team, except for some cases of delay, which were perhaps considered by the team as attempts by the Iraqi side to conceal information. The team found no document relating to the previous programmes and could not establish any link between the sites visited and those programmes. This was confirmed by the head of team 203 to his Iraqi counterpart.

7. The Special Commission states that it informed Iraq concerning the issues still pending, and requested the submission of clarifications, including information on the number of warheads produced and the number destroyed unilaterally, together with material evidence of the number remaining. It also requested Iraq to provide a truthful picture of its VX programme and its implementation, under natural conditions. The Commission is making efforts to carry out investigations in Iraq in order to arrive at an appropriate solution, which is not possible under present conditions.

We wish to clarify that explanations are currently being prepared concerning the issues requested and relating to the number of warheads and the VX programme, despite the fact that the information requested was submitted previously. Yet the Special Commission insists on the submission of details and requests supporting documentation not submitted previously. These repeated demands are unjustified, the underlying objective being to persist in asking and requesting the Iraqi side to submit clarifications even though the requests have been responded to previously.

8. The Special Commission alleges that Iraq currently possesses dual-use chemical equipment at 40 sites suitable for the production of chemical agents and their precursors, and that those sites are subject to inspection on the grounds that they are suitable for the production, storage and consumption of toxic chemical agents.

Our reply to this allegation is that, in accordance with annex 2 of the inspection plan under resolution 715 (1991), the Iraqi side has disclosed all sites in Iraq where there were dual-use equipment or materials that the Iraqi side was producing, consuming or storing, and that the Iraqi side is submitting information about those sites every six months (semi-annual reports). Moreover, the chemical inspection teams carry out surprise inspections on an ongoing basis to verify the reports submitted by Iraq and determine what activities are actually going on at the sites in question. There is no toxic agent production capability as the Special Commission alleges. The presence of such substances as sulphur and chlorine and what the Commission has dubbed "dual-use materials" at Iraqi sites does not mean that Iraq has the ability to produce proscribed agents.

9. The Commission alleges that there are at least 30 Iraqi sites where there is infrastructure for proscribed activities, either as a result of reconstruction or as a result of the erection of components of new facilities at those sites.

Our answer to this allegation is that it lacks any rational foundation: these facilities cannot be converted into sites producing proscribed weapons, as that would require equipment and supplies that are subject to inspection par excellence and can be moved only in accordance with procedures approved by the Special Commission. Furthermore, many of the raw materials and supplies are not available at all at the present time, having been completely destroyed, as the Commission is well aware.

10. The Special Commission alleges that Iraq possesses two sites for the indigenous production of dual-use chemical equipment.

Our answer to this allegation is that the two sites in question are the Heavy Engineering site and the Nasr State Establishment, both of which are subject to future inspection. These two facilities manufacture equipment for general use, some of which the Special Commission considers to be dual-use equipment. Does this mean that Iraq is being asked to halt production of all such equipment and to disable and shut down its entire industrial base?

III. The biological area

10. The Special Commission states that in April 1991, Iraq claimed that it had no biological warfare programme, but that in that same year it announced the existence of a limited defensive BW programme.

Our response is as follows: During the period 1991-1995, Iraq did not mention the details of the former BW programme, but at the same time it disclosed all Iraqi capabilities, which had been subject to inspection since 1991. The Commission's insistence on recalling the distant past at every

opportunity is a deliberate effort to distort Iraq's position and conceal its full cooperation with the Commission, for obvious political purposes.

11. The Special Commission states that in July 1995 Iraq admitted the existence of an offensive BW programme but denied weaponization, and announced limited production of anthrax.

Our response is that in July 1995 the Iraqi side presented the first draft of its full, final and complete disclosure, and while it did not refer to the subject of weaponization, it did disclose the production of two types of toxin, botulinum toxin and anthrax. It is not true, as the Commission states, that the Iraqi side disclosed only the production of limited quantities of anthrax. The subject of the production of the agents referred to is dealt with in pages 49-56 and 72-74 of the draft FFCD of July 1995.

12. The Commission states that 19,000 litres of botulinum toxin were disclosed in July 1995, and that that figure has remained unchanged during the past two years. As regards anthrax production, the initial figure given was 650 litres. Late in August 1995 this was altered to 6,000 litres, and then, at the end of that same month, it was changed again, this time to 8,400 litres. As for aflatoxin and Clostridium perforans, quantities produced were not disclosed until mid-August 1995.

Our response is that the first part of the above paragraph is inconsistent with the Commission's statement in paragraph 11 above concerning the alleged disclosure in July 1995 of limited production of anthrax. The successive production figures for anthrax were given to the best of the recollection of those working on this programme. The final figure was determined to be the correct one after an extremely important document had turned up and was duly turned over to the Special Commission, namely the Al-Hakam plant's annual report for 1990, dated 15 January 1991. It is true that several changes in the figures were made within a short period of time. As the summary notes, this occurred during August 1995. As regards Clostridium perforans, in July 1995 the Iraqi side disclosed the research that had been conducted on that agent. No mention was made of production until mid-August 1995 because there was no quantitative production, as the above-mentioned document confirms.

13. The Special Commission states that in 1996 it supervised the destruction of the main facility of the biological programme.

This wording implies that what was destroyed was BW production facilities, whereas the fact is that all biological agents and the related materials and equipment were completely destroyed in 1991; the entire BW programme was eliminated. What the Special Commission destroyed in 1996 was various equipment, facilities and buildings, including water and electricity services, that were not part of the former programme. The Special Commission is well aware that the plant in question had been built in 1992, as it had itself examined the whole project in detail, beginning with the plans and so on to the completion of the plant, which was designed to produce pesticides for agricultural purposes exclusively; it also had a pilot production line that turned out animal feed protein supplements. Its destruction has deprived Iraq

of capabilities in those areas, which are sorely needed, especially under the conditions of the harsh embargo that has been in place since 1990.

14. The Special Commission asserts that for the period from 1995 until the end of 1996 Iraq provided three draft FFCDs and submitted the final text in June 1996.

Our response: the statement is inaccurate. During the period 1995-1996, the Iraqi side submitted five draft FFCDs, not three, as follows:

(a) First draft provided in July 1995;

(b) Second draft provided in August 1995;

(c) Third draft provided in November 1995;

(d) Fourth draft provided in March 1996;

(e) Fifth draft provided in May 1996.

These drafts were provided after prolonged discussions with the Special Commission. Each time, the Special Commission would say there were points that were unclear and indicate what clarifications were required. The Iraqi side would take note of all the Commission's comments and demands for clarification and changes and incorporate them into another draft text, whereupon the Commission would find fresh questions to ask and the whole process would begin again. Ultimately the final text was produced in June 1996.

15. The Special Commission has presented to the members of the Security Council a plan of the Al-Hakam plant showing its dimensions, the buildings that it contains, and the activities that are carried on there.

Our comments are as follows:

The Special Commission is attempting to use scare tactics in the matter of the Al-Hakam plant, with its buildings and dimensions and the activities that were carried on there, in an effort to mislead world opinion. Iraq disclosed the Al-Hakam site on the occasion of the visit of the second biological inspection team. The disclosure was accurate and stated quite truthfully that the facility was intended for the production of animal feed protein supplements. Plans for the site had existed since 1988, and the function designated as the alternative to the plant's military function was animal feed protein supplement production. When the entire BW programme was dismantled in 1991, the plant was, in fact, converted to that function, and pesticide and fertilizer production facilities were added as well, for agricultural purposes only. This was essential under the circumstances of the harsh embargo that had been imposed on Iraq.

16. The Special Commission states that in March 1997, Iraq's FFCD on its BW programme was rejected by an international panel of experts, including experts from four members of the Security Council, and that the panel had concluded that the accounts relating to weapons filling, storage and deployment of filled

warheads were incomplete, undocumented, and unsupported by the relevant data. The panel was also said to have concluded that the accounts provided in the FFCD on weapons filling and large-scale production of BW agents were inconsistent with information already in the Commission's possession, and that the accounts in the FFCD of imports of raw materials and equipment for BW agent production were incomplete.

Our comments are as follows:

In the FFCD of June 1996, the following supporting documents were submitted:

(a) Storage and deployment of BW warheads:

Document No. 70, indicating storage and deployment of BW warheads;

Document No. 190, indicating storage and deployment of BW warheads.

(b) Production of BW agents:

Document No. 169, indicating production capabilities for agent A and agent B; this document is dated April 1988;

Document No. 13, the annual report of the Al-Hakam plant for 1990, which is dated 15 January 1991. It contains full information on quantities of BW agents produced in 1990, up to 15 January 1991; 1990 was the significant year as far as production was concerned.

(c) There are no documents on production for 1989. As regards the filling of BW delivery vehicles (bombs and warheads), the allocation of various agents to those vehicles, and field trials, we expect that the relevant documentation is mixed in with the documentation on bacterial cultures, including reports, videotapes and photographs, that was handed over to the former Executive Chairman of the Special Commission in August 1995.

(d) Many interviews were conducted with hundreds of individuals, lasting for hours, and all the answers were consistent within the general context, although there may have been some minor inconsistencies in unimportant matters of detail. Furthermore, all the answers were consistent with the documentation provided by Iraq.

(e) As regards imports, 40 letters of credit for activities relating to the BW programme and imported materials arranged through TSMID and the Technical Research Centre (documents 23 through 62) were submitted. All information concerning bills of exchange and credits arranged through TSMID and SEPP were also submitted, as were schedules containing all purchases made by the Criminal Investigation Division at the TRC and all documents relating to the work of that Division from 1987 through 1990.

(f) Numerous documents relating to weaponization issues were submitted, including documents containing data on BW warheads manufactured and the destruction of those warheads. Many other documents relating to the

subjects dealt with in the FFCD were also submitted. A total of 195 documents were submitted to the Commission, and some of them were described by the Commission as highly important and very useful in furthering its work.

(g) A list of the 195 documents submitted to the Special Commission as part of the FFCD on BW is enclosed herewith.

17. The Special Commission showed the members of the Security Council a chart indicating imports of BW-related materials and equipment and BW-related activities. The chart indicates letters of credit known to the Special Commission in the field of BW, and states that the FFCD discloses only 40 such letters of credit. There are more than 20 others known to the Special Commission (indicated in blue). In connection with these letters of credit, the chart shows purchases arranged through Iraqi attachés' sections in embassies, and states that only 27 bills of exchange were disclosed by Iraq in the FFCD, and that in any case there are other bills of exchange relating to the programme that are known to the Special Commission (indicated in blue) and possibly as many as 30 more that are undocumented, indicated in red.

Our response is much the same as in paragraph 16 above. The Iraqi side handed over all available information relating to the former BW programme, including letters of credit and bills of exchange, together with all available supporting documentation. A total of 57 such letters of credit and bills of exchange were submitted as part of the FFCD, not 40 as stated in the summary (see Part IV of the FFCD, pp. 109-129). The Iraqi side also handed over all formation relating to purchases made by means of the letters of credit or bills of exchange or through the Criminal Investigation Division at the Technical Research Centre, all confirmed by yearly statements from 1987 through 1990, complete with requisition numbers (see FFCD, pp. 130-190). The FFCD also includes information relating to purchases and procurement within Iraq.

18. The Special Commission presented a diagram showing the only enzyme used to produce anthrax spores, yellow representing the quantity consumed in producing anthrax and blue representing the additional quantities of the substance provided by Iraq, including its imports.

Our response is as follows:

The enzyme mentioned in the summary is not the only substance used to produce anthrax, inasmuch as the growth medium used for production is made up of eight types of salts in addition to the enzyme. The enzyme represents 0.2 per cent of the medium. This substance is not only used to produce anthrax but also to produce botulinum toxin, at 0.5 per cent, Clostridium perfringens spores and single-cell protein for animal feed. The quantities consumed and the material balance are given in chapter VI of the FFCD (pp. 295-296), concerning production, in the detailed tables of quantities of growth media produced and consumed (pp. 313-329) and in the chapter on the material balance (pp. 479-488). These show the quantities imported and consumed and the remaining quantities that were destroyed by the Special Commission in 1996.

19. The Special Commission says that the FFCD was submitted to it in September 1997, that an international panel of experts, including four experts from States members of the Security Council, rejected it as unacceptable, and that the relevant details are given in the Special Commission's report of October 1997.

Our response is as follows:

The redrafting of the biological FFCD was done when the Special Commission proposed that it should provide new formats as the basis on which the report would be written in order to eliminate the repetition of information and ensure coordination of the information given in different chapters. The Iraqi side stated that it had no new substantive information to add in the new report since the 1996 report had covered the period from 1974 to 1991 in detail together with the supporting documentation available. The Special Commission nevertheless provided formats for tables and questions that were answered in detail, and Iraq submitted the report on 10 September 1997. It was 639 pages long and there were 192 supporting documents. The report on the findings of the international panel of experts was issued on 3 October 1997 after four days of meetings in New York, from 29 September to 3 October. We do not know how the experts could have evaluated 639 pages and 192 documents in four days or could have reached the conclusion that they should reject the report without the participation of the Iraqi experts who were supposed to be involved and without being aware of the clarifications they could have provided. The report on the findings of the experts also addresses two questions to the Special Commission, namely: "What aspects of the biological weapons programme are not covered in the FFCD?" and "What inaccuracies does it contain?"

It must be pointed out that the Special Commission did not allow the participation of an Iraqi delegation that had come to New York to attend the semi-annual meeting of the members of the Special Commission on 30 October 1997. Had Iraq attended that meeting it might have presented its views and defended its position.

20. The Special Commission states that, as in the case of the warheads, Iraq claims that the R-400 bombs were destroyed unilaterally, that Iraq provided a document showing that 157 such bombs were destroyed and that the Special Commission cannot ascertain at any acceptable level the agents that were in these bombs.

Our response is as follows:

The Special Commission verified the destruction of the R-400 bombs fully at the Aziziyah firing range in 1991. Storage and destruction areas were excavated, and the remnants of the bombs destroyed were extracted. Three damaged but unexploded bombs were also found, and the markings and agents corresponded with the information provided by Iraq in the FFCD and in interviews. The Special Commission also took samples of the contents of the bombs and the results also corresponded with the declarations of the Iraqi side. Most recently, the Special Commission destroyed the three bombs indicated together with their contents and buried them with the other remnants at the Aziziyah firing range.

21. On Iraq's capabilities in the absence of monitoring, the Special Commission states that Iraq has the equipment, the materials, the expertise and the means of delivery, that there are fermenters that have been moved from the places they were being monitored and that Iraq can produce 350 litres of anthrax per week.

Our response is as follows:

The accusations and suspicions the Special Commission directs against Iraq are endless, and they are constantly and continually being nourished by circles hostile to Iraq. Concerning the quantity of anthrax produced as stated in the report (350 litres per week), we should like to ask the Special Commission: What were the principles, facts and indicators it used in its calculations of the production of this quantity? Why anthrax exactly, and not some other substance? The Special Commission knows very well that there are no production capacities. They would include, in the first place, the bacterial isolates that were handed over to the Special Commission in 1991 and, in the second place, the precursors that were destroyed by the Special Commission in 1996. There is also the strict monitoring regime that affects all of Iraq's imports and equipment. However, if it is to be a matter of allegations and accusations, then the Special Commission can accuse Iraq of anything at all and not only of producing 350 litres of anthrax per week! The principle used by the Special Commission is theoretical and neither practical nor scientific. The items of equipment and fermenters that are alleged to have been moved were in fact not moved in their entirety. Only parts of them were moved (the receptacle and the control panel) on the initiative of the technicians at the site, and the major parts continued to be monitored by the cameras. The parts that were removed cannot be used to produce anything, whether biological agents or anything else, and the Special Commission is aware of this just as it knows what the requirements are for the production of biological agents. Furthermore, Iraq does not have any appropriate means of delivery for the biological agents the Special Commission claims can be produced. The Special Commission could have investigated if it had allowed its personnel to enter the sites subject to monitoring and had not instructed them to return to the Canal Hotel. The Iraqi side did not refuse entry to the sites to the monitoring groups but only to the Americans.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

List of 192 documents presented to UNSCOM by the Iraqi side concerning declarations in the biological sphere

Document No.	*Subject*
1.	Dr. Rihab Taha started to work at SEPP
2.	Release order of Dr. Nasir Al Hindawi at SEPP
3.	The shipping list of the imported microorganisms
4.	Transfer order for the biological group from MSE to TRC on 15 July 1987
5.	Requirements document for projects implementation
6.	TRC letter to take over FMD site to TRC on 21 August 1990
7.	Presidency devan letter concerning the transferring of FMD property to TRC on 6 September 1990
8.	TRC order to finish the temporary appointement of Dr Tariq Al Zubaidi on 24 September 1988
9	Disengagement order of Dr. Tariq Al Zubaidi on 26 Sept. 1988.
10.	Dr. Tariq Al Zubaidi return to work at the Medical Technical Institute on 28 September 1988.
11.	Ministry of Agriculture order to transfer Dr. Emad and his group to TRC on 10 May 1988.
12.	Agriculture and Irrigation Ministry letter dated 17 Sept 1990 concerning the approval to allocate the site of Agricultural Researches and Water Resources at Al Fudhailiya to TRC
13	The annual report of Al Hakam Factory for 1990
14	Transfer order of Dr. Hazim Muhamad Ali to TRC on 30 June 1990 (three documents).

Document No.	*Subject*
15.	The personal diary of the officer who destroyed the R-400 Aerial bombs at Al Aziziya firing field .
16.	Consumption diary of the missiles and warheads on 21 July 1991 .
17.	The judgment concerning the workers in Al Hassan Ibn Al Haithem Institute .
18	The order of Ministry of Higher Education to release Dr. Nassr Al Hindawi for one year to work in MIC on 26 April 1988 .
19.	Presidency Divan order to return of Dr. Nassr Al Hindawi to Ministry of Higher Education .
20.	University order to transfer the services of Dr. Nassr Al Hindawi to MIC on 18 Nov. 1991 .
21.	Research and labs letter on 31 Dec. 1988 regarding production plan of veterinary vaccines for 1989 which refers to the translocation of veterinary research equipment (fermenters) outside labs and research department .
22.	RCC order no. 232 on 16 April 1987 .
23-62.	L/C's established through TSMID for the past biological program.
63.	Minutes of meeting of 16 Oct. 1990 to fix the specifications of (A,B.C,G) materials .
64.	TRC adminstrative order on 7 Jan. 1991 regarding a temporary appointment of two officers in MIC establishments security and protection system to implement a task .

Document No.	*Subject*
65.	The letter of the Missile Force Commandor on 7 Jan. 1990 to Brigadier Ra'ad regarding warheads testing .
66.	The special warheads integration tests minutes on 11/1/ 1990 .
67.	The document of Missile Force Commandor in mid April 1991 which clarifies the status of missiles and the special warheads .
68.	The document of staff Brigadier Isma'al concerning the status of the special warheads .
69.	The document of staff Brigadier Isma'al concerning the status of the special warheads type 1,2,3,4,5 .
70	The document of staff Brigadier Isma'al concerning the distribution of the special warheads type 1,2,3,4,5 at storing sites .
71.	Gate pass to receive two spanish BRIP-400 GP bombs on 14 April 1990 .
72.	The letter of the Aerial Weapons Directorate in the Air Force on 22 May 1990 concerning the results of R-400 aerial bombs dropping tests .
73.	Receipt of six bombs by the representative of MSE on 29 May 1990 .
74.	MIC order to Nassr S. E. on 21 May 1990 to manufacture 1000 bombs and naming them Al Tahadi bombs .
75.	MIC letter to Test and Accept Directorate on 22 May 1990 to appoint a representative for testing and accepting .
76.	Minutes of meeting on 24 May 1990 to adopt testing and acceptance procedures for the 1000 bombs / Al Tahadi .

Document No.	*Subject*
77.	Minutes of meeting on 3 June 1990 concerning the manufacturing of Al Tahadi bombs .
78.	R-400 bombs progress report addressed to the director of the steel structure plant in Nassr S. E. on 14 August 1990 .
79.	A joint minutes concerning test and work procedures for the production of the second batch of R-400 A bombs on 14 August 1990 .
80.	The letter of the representative of testing and acceptance committee at Nassr S. E. to the director of the steel structure plant concerning R-400 A bombs on 18 Sept. 1990 .
81.	The letter of the representative of testing and acceptance committee at Nassr S. E. to QC and Acceptance Directorate on July 1990 concerning bombs monthly report for June 1990 .
82.	The letter of the representative of testing and accepting committee at Nassr S. E. to QC and Acceptance Directorate on 31 July 1990 concerning bombs monthly report for July 1990 .
83.	The letter of the representative of testing and acceptance committee in Nassr S. E. to QC and Acceptance Directorate on 3 Sept. 1990 concerning bombs monthly report for August 1990 .
84.	The letter of the representative of testing and acceptance committee in Nassr S. E. to QC and Acceptance Directorate on 4 Oct. concerning bombs monthly report for Sept. 1990 .
85	Detials of the preparation of the produced . tested . accepted . rejected and failed R-400 bombs

Document No.	*Subject*
86.	MIC letter to the Air Force command on 27 Sept. 1990 concerning the collection of the bombs in one site to be exchanged by other bombs .
87.	Receipt of 10 bombs from Al Mishahda stores on 17 Oct. 1990 .
88.	Letter of the Aerial Weapons Directorate / air force command to the Aerial Operations Directorate on 27 Sept. 1990 regarding the receipt of eight bodies of inactive bombs from Nassr St. Est.
89.	Nassr St. Est. letter to MSE on 25 Oct. 1991 concerning payment cost of the implementation of the special tasks (four sheets) .
90.	Gate pass dated 2 Dec. 1990 for the receipt of 200 parachute fins , 200 fuzes and 200 forks with a copy of the record of receipt process .
91.	Gate pass dated 16 Dec. 1990 for the receipt of 10 fins , 10 fuzes and 10 security pins with a copy of the record of receipt process .
92.	Bill of sale issued from Nassr St. Est. to MSE on 18 Oct. 1990 concerning supplying the said establishment with 1024 R-400 Al Tahadi bombs .
93.	A copy of consumption record of Nassr St. Est. in which the supply of 1024 R-400 bombs to MSE is recorded .
94.	Supplying document issued by Nassr St. Est. to MSE on 17 Dec. 1990 regarding the supplying of 200 R-400 bombs .
95.	Bill of sale issued from Nassr St. Est. to MSE on 19 Dec. 1990 regarding supplying the said establishment with 200 R-400 Al Tahadi bombs .

Document No.	*Subject*
96.	A copy of consumption record of Nassr St. Est. in which the supply of 200 R-400 bombs to MSE is recorded .
97.	Nassr St. Est. letter to MSE on 24 March 1992 concerning paying the value of the bombs supplied to MSE totalled 1224 R-400 bombs .
98.	Nassr St. Est. letter to MSE on 28 May 1991 concerning paying the value of the bombs supplied to MSE totalled 1224 R-400 bombs .
99.	Letter of Naval and aerial weapons section of MIC to the technical section on 12 Jan. 1991 regarding the initiatives of the section for the period after 2 Aug. 1990 .
100.	A copy of consumption record of Nassr St. Est. concerning the supply of 8 inactive bombs to Air Force Command .
101.	A copy of consumption record of Nassr St Est concerning the supply of 10 R-400 bombs to MSE
102.	List of isolates submitted to the first biological inspection team on 5 Aug. 1991.
103.	Army aviation letter dated 16 Jan. 1991 to the deposits to supply MSE with three fuel tanks
104.	MSE letter to the Air Force technical stores on 11 July 1991 to return back three tanks .
105.	Air Force technical stores letter to Aerial Engineering Directorate on 13 July 1991 concerning the receipt of three tanks from MSE .
106.	Air Force and Aerial Defence letter to the technical stores on 7 Aug. 1991 concerning the approval of tanks destruction .

Document No.	*Subject*
107.	Technical stores letter to MIC on 17 Oct. 1991 concerning the destruction of the two tanks (2 documents) .
108.	TECO order dated 2 April 1991 to reward the personnel worked in Thul Fikar Project .
109.	TECO order dated 1 April 1991 to reward the personnel worked in Thul Fikar Project .
110.	Invoice issued by the St. Est. for Heavy Engineering Equipment on 13 May 1991 to pay the value of the manufacturing of 39 tanks .
111-121	Documents of the materials required and received by TRC .
122-130	Documents of the materials required but not received.
131	The decree for the establishment of the Iraqi State Orgnization for Importation .
132	RCC decision No. 340 regarding TRC establishing on 14 March 1985 .
133	Divan of presidency letter / the secratary dated 15 Jan 1986 for TSMID to act as procurement agency .
134	Memorandum of T3 Dept. manger to TRC general director on 13 Aug 1988 concerning the test of Dr Tariq Al Zubaidi .
135	Removed
136	Removed
137	Memorandum of Dr. Munna Al Juborri to T3 Dept. manager on 6 April 1988 concerning the research of Mr. Fa'ak Banoon .

Document No.	*Subject*
138	Memorandum of Dr. Munna Al Juborri to TRC D G. on 13 April 1988 concerning cover smut project .
139	TRC letter on 15 Feb. 1989 concerning the return of Dr. Munna Al Juborri to the unversity (two documents) .
140	Memorandum of Dr. Hazim Muhamad Ali to Al Hakam Project Director concerning the transfer to FMD site .
141	Presidency Divan letter on 6 Sept. 1990 to transfer the ownership of FMD site to TRC (two documents)
142	TRC letter to Ministry of Agriculture and Irrigation / General Veterinary Board to facilitate the task of Dr. Hazim Muhamad Ali to obtain information .
142A	TRC letter to the General Veterinary Board in Dec. 1990 concerning the request for equipment (two documents)
143	TRC letter to Al Kindi Company for the production of vaccines and vet. medicines on 14 Oct 1990 concerning the request of equipment and materials
144	Daily work record of viruses project .
145-150	Offers from supply companies on the requests of Dr. Noriya Abdul Hussain.
151	Removed
152	Memorandum of Dr. Amir Al Ma'athedi and Dr. Laua'ae Kissim to T3 Dept. manager on 26 July 1990 concerning ricin project .
153	Memorandum of Dr. Laua'ae Kassim to T3 Dept. manager on 10 Sept. 1990 concerning the joint research on ricin

Document No.	*Subject*
154	Memorandum of Dr. Laua'ai Kassim and Dr. Amir Al Ma'athedi to T3Dept. manager on 7 Oct. 1990 regarding the stability of castor seeds exract at different temperatures .
155	Minutes of meeting on 11 Nov. 1990 regarding the preparation of ricin field test .
156	A copy of ricin production research
157	MIC appreciation letter to MRDC on the study and modification of a combat plane to fly without a pilot .
158	Requests for some materials from Reynolds & Wilson Ltd .
159	Presidency Divan letter on transfer of the services of Dr. Issam Al Mukhtar to Ministry of Higher Education on 11 March 1989 .
160	MIC order on 16 March 1989 on transfer of the staff who worked on drones to Al Faris Factory .
161	List of required materials tc manufacture the Auto balancing Device on 8 April 1990
162	The offer of Menatracon Co. on 4 May 1990
163	Removed
164	MIC order on 22 Dec. 1991 to change the engagement of the drones project to be with MRDC
165	MRDC order on 23 Oct. 1994 concerning the disengagement of Flight Research Centre and Al Yamama Project to be connected with the State Est. for production operations design .
166	Removed

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Document No.	*Subject*
167	TRC letter to MIC Senior deputy director on 24 Sept. 1990 concerning the proposed names for sites of Al Hakam project .
168	MIC letter to the presidency Divan on 24 Sept. 1989 concerning the transfer of some personnel from TRC outside MIC .
169	TRC work status notes written by General Amir Al Sa'adi in April 1988 .
170	A table of the required transaction issued from TSMID regarding the request of four filling machines on 12 April 1989 .
171	Oxoid Co. offer to supply culture media in May 1988.
172	Presidency Divan letter to Ministry of Oil on 7 March 1987 regarding SCP project .
173	Ministry of Oil letter to the presidency Divan dated 20 April 1987 regarding SCP project .
174	Ministry of Oil letter to the presidency Divan dated 17 Aug. 1987 regarding SCP project .
175	Minutes of meeting minute dated 2 June 1987 concerning SCP project .
176	TRC letter to Ministry of Oil dated 10 Oct. 1987 regarding SCP project with an annex of the faults and the shortages of the projects.
177	TRC letter to Ministry of Oil dated 17 Aug. 1987 regarding SCP project.
178	Presidency Divan letter to Ministry of Oil on 1 Aug. 1987 concerning the transfer of SCP unit to TRC instead of MSE .

Document No.	*Subject*
179	Presidency Divan letter on 13/ 5 / 1987 directed to Ministry of Oil concerning SCP project .
180	Ministry of Oil letter to TRC concerning SCP project.
181	An offer for 150 *l.* fermenter spare parts from Chemap company .
182	TRC letter to Al Qaqa St. Est. on 18 June 1991 for supply of formalin .
183-186	Trane company offers
187	ACM company offer
188	Missile Force Commander letter on 11 / July / 1991 to the First Maintenance Unit commander to collect fragments .
189	The second Battalion of Brigade 223 letter dated 20/7/1991 directed to the missile force commander concerning duties implementation .
190	The First Maintenance Unit letter dated 9 July 1991 directed to Brigadier Mahmood Faraj Bilal about special warheads destruction.
191.	The Missile Force Commander letter dated 15/7/1991 to operation office.
192	Minutes of meeting dated 25/2/1991 conducted between the First Maintenance Unit commander and Al Mustafa project director

Note: Document Nos. 1-187 inclusive have already been submitted to UNSCOM within the BW FFCD of June 22 1996 . Document Nos. 188-192 inclusive are attached with this chapter

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